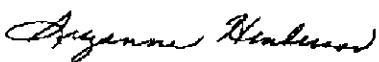


**Electronically Recorded**

Official Public Records



Suzanne Henderson

Tarrant County Texas

2009 Jan 15 03:35 PM

Fee: \$ 28.00

Submitter: SIMPLIFILE

**D209011695**

4 Pages

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**AMENDMENT TO OIL AND GAS LEASE**

**State:** Texas  
**County:** Tarrant  
**Lessors:** Moody National TPS Fort Worth H, LLC, a Delaware limited liability company, et al.  
Address here  
**Lessee:** XTO Energy Inc.  
Address here  
**Effective Date:** January 4, 2008

On January 4, 2008, Lessors, named on Schedule A attached hereto, executed and delivered to Vargas Energy, Ltd, original Lessee, an Oil and Gas Lease (the "Lease"), recorded in Tarrant County Clerk's Document No. D208042228 of the Official Public Records of the county and state named above. The Lease covers the following lands (the "Lands"):

**2.1799 acres of land, more or less, according to the Tarrant County Appraisal District, that certain tract of land situated in the B.B.B. & C. RR Survey, Abstract No. 217 in the City of Fort Worth, Tarrant County, Texas, and being all of Lot 3, Block G, of the Overton West Addition, an Addition to the City of Fort Worth, as recorded in Document No. D207209182, Deed Records, Tarrant County, Texas.**

The Lease is recognized by Lessors as being in full force and effect. The Lease is presently owned by Lessee, named above, as shown in that Assignment dated February 13, 2008, and recorded as Tarrant County Clerk's Document No. D208072412, Official Public Records, Tarrant County, Texas. It is the desire of the Lessors and Lessee to amend the Lease as to the particular provisions set out below.

For adequate consideration, Lessors and Lessee amend the Lease by incorporating into it the following terms, as if originally contained in the Lease:

See Schedule "B" attached hereto.

If the amendment(s), set out above, varies from a provision(s) or term(s) already existing in the Lease, the amending provision(s) specifically supersedes the provision(s) or term(s) originally contained in the Lease.

For adequate consideration, Lessors grant, lease and let to Lessee the Lands for the term provided in the Lease, as amended.

This Amendment may be executed in multiple counterparts. When executed, counterpart shall be binding on the party signing it, regardless of whether all Lessors execute this Amendment.

This Amendment is signed by Lessors and Lessee as of the date of the acknowledgment of their respective signatures, but is effective for all purposes as of the Effective Date stated above.

D209011695

Executed on January 12<sup>th</sup>, 2009.

**LESSORS:**

**Moody National TPS Fort Worth H, LLC, a Delaware limited liability company**

**TIC TPS Fort Worth 1, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 2, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 3, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 4, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 5, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 6, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 7, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 8, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 9, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 10, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 11, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 13, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 14, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 15, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 16, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 17, LLC a Delaware limited liability company**

**TIC TPS Fort Worth 18, LLC a Delaware limited liability company**

**By: Moody National TPS Fort Worth MT, LLC  
a Delaware limited liability company**

  
Brett C. Moody, President

**By: Moody National Management, L.P.,  
a Texas limited partnership, its sole member**

  
Brett C. Moody, President

**By: Moody Management Corporation,  
a Texas corporation, its general partner**

  
Brett C. Moody, President

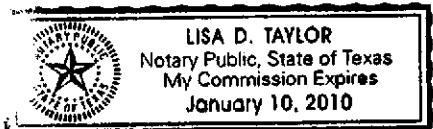
THE STATE OF Texas §

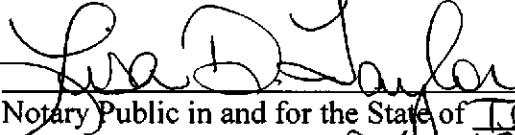
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COUNTY OF Harris §

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This instrument was acknowledged before me on the 12<sup>th</sup> day of January, 2009, by Brett C Moody, President of Moody Management Corporation, a Texas corporation, general partner of Moody National Management, L.P., a Texas limited partnership, sole member of Moody National TPS Fort Worth, LLC, a Delaware limited liability company, on behalf of said entity.



  
Lisa D. Taylor  
Notary Public in and for the State of Texas  
My Commission Expires: 01/10/2010

**SCHEDULE "A"**

**LESSORS PARTIES**

<b>Moody National TPS Fort Worth H, LLC, a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 1, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 2, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 3, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 4, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 5, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 6, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 7, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 8, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 9, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 10, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 11, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 13, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 14, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 15, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 16, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 17, LLC a Delaware limited liability company</b>
<b>TIC TPS Fort Worth 18, LLC a Delaware limited liability company</b>

**SCHEDULE "B"**

**LESSORS PARTIES AND INTERESTS**

<b>Moody National TPS Fort Worth H, LLC, a Delaware limited liability company</b>	<b>1.8071%</b>
<b>TIC TPS Fort Worth 1, LLC a Delaware limited liability company</b>	<b>13.9454%</b>
<b>TIC TPS Fort Worth 2, LLC a Delaware limited liability company</b>	<b>6.6812%</b>
<b>TIC TPS Fort Worth 3, LLC a Delaware limited liability company</b>	<b>5.4645%</b>
<b>TIC TPS Fort Worth 4, LLC a Delaware limited liability company</b>	<b>5.4645%</b>
<b>TIC TPS Fort Worth 5, LLC a Delaware limited liability company</b>	<b>9.3552%</b>
<b>TIC TPS Fort Worth 6, LLC a Delaware limited liability company</b>	<b>3.2787%</b>
<b>TIC TPS Fort Worth 7, LLC a Delaware limited liability company</b>	<b>5.0919%</b>
<b>TIC TPS Fort Worth 8, LLC a Delaware limited liability company</b>	<b>5.4645%</b>
<b>TIC TPS Fort Worth 9, LLC a Delaware limited liability company</b>	<b>6.5574%</b>
<b>TIC TPS Fort Worth 10, LLC a Delaware limited liability company</b>	<b>3.2539%</b>
<b>TIC TPS Fort Worth 11, LLC a Delaware limited liability company</b>	<b>7.6020%</b>
<b>TIC TPS Fort Worth 13, LLC a Delaware limited liability company</b>	<b>4.5000%</b>
<b>TIC TPS Fort Worth 14, LLC a Delaware limited liability company</b>	<b>6.5574%</b>
<b>TIC TPS Fort Worth 15, LLC a Delaware limited liability company</b>	<b>6.6126%</b>
<b>TIC TPS Fort Worth 16, LLC a Delaware limited liability company</b>	<b>1.3403%</b>
<b>TIC TPS Fort Worth 17, LLC a Delaware limited liability company</b>	<b>5.6831%</b>
<b>TIC TPS Fort Worth 18, LLC a Delaware limited liability company</b>	<b>1.3403%</b>